

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Christian R. Stormer, as Receiver of)
Southern Financial Group, Inc.,)
)
)
Plaintiff,)
)
)
v.) Case No. _____
)
)
Andrew Garrett, Inc.,)
)
)
Defendant.)
)
_____)

**COMPLAINT TO COMPEL CUSTODIAN TO RENDER AN ACCOUNTING
AND TO TURN OVER RECEIVERSHIP PROPERTY**

Plaintiff, Christian R. Stormer, as Receiver of Southern Financial Group, Inc. ("SFG"), states as follows:

1. On May 23, 2002, the Securities and Exchange Commission filed a complaint in this Court captioned Securities and Exchange Commission v. Southern Financial Group, Inc., Richard M. Wooten, Charles Dennis McKittrick and Gerald F. Hunter, Jr., Defendants and Springdale Investments, Inc., Relief Defendant, Civil Action File No. 2 02 1806-18.

2. On October 16, 2002, the Plaintiff herein was appointed as Receiver of Southern Financial Group, Inc. by this Court. (See Exhibit "A".)

3. On information and belief, Andrew Garrett, Inc. ("Garrett") is a Missouri corporation doing business in the State of South Carolina, as a full service securities broker.

4. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§754, 1332, 1367, 1692.

5. Pursuant to paragraph VI. of this Court's Order Appointing Receiver, it was ordered that "any brokerage institution, financial institution, bank, savings and loan, mutual fund, or any other person, partnership, or corporation maintaining or having custody or control of any brokerage or deposit account or other assets of any of the Receiver Estate or under their control, and that receives actual notice of this order by personal service, facsimile transmission or otherwise shall, within three (3) business days of receipt of that notice, file with the Court and serve on the Receiver and counsel for the Commission a certified statement setting forth, with respect to each such account or other asset, the balance in the account or description of the assets as of the close of business on the date of receipt of the notice."

6. On information and belief, Garrett, as custodian, is servicing customer brokerage accounts formerly in SFG's name, and that all or a portion of the commissions generated by said former SFG customer accounts are payable to the Receiver Estate.

7. Plaintiff has made demands on Garrett for an accounting and for turnover of any proceeds due the Receivership Estate, but such demands have been refused.

WHEREFORE, Plaintiff prays that (1) Garrett be ordered to render an accounting to the Court, counsel for the Securities and Exchange Commission, and the Plaintiff of all commissions collected by Garrett on former SFG customer accounts, (2) that Garrett be ordered to turnover to the Receiver any proceeds due the Receiver Estate, and (3) that Garrett be assessed the costs of this action.

/s/ R. Geoffrey Levy

R. Geoffrey Levy
I.D. #2666
Levy Law Firm, LLC
2300 Wayne Street
Columbia, South Carolina 29201
(803) 256-4693
Attorney for the Receiver

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